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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION	
In re: Crestlloyd, LLC, Debtor(s).	CASE NO.: 2:21-bk-18205-DS CHAPTER: 11 APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]

1. Movant applies under LBR 9075-1(b) for an order setting a hearing on shortened notice on the following motion:
BUYER'S AND DEBTOR'S NOTICE OF MOTION AND JOINT MOTION (I) TO ENFORCE THE SALE ORDER, AND (II) FOR
a. Title of motion: ISSUANCE OF AN ORDER TO SHOW CAUSE WHY ANDRE MARIO SMITH SHOULD NOT BE HELD IN CONTEMPT OF COURT
b. Date of filing of motion: 8/12/2022

2. Compliance with LBR 9075-1(b)(2)(A): (***The following three sections must be completed:***)

- a. Briefly specify the relief requested in the motion:

On May 24, 2022, Mr. Andre Mario Smith ("Mr. Smith") recorded a quitclaim deed the "Fraudulent Deed") that purports to transfer the the real property formerly owned by the Debtor located at 944 Airole Way, Los Angeles, CA 90077 (the "Property") to Mr. Smith in contravention of this Court's order approving the sale of the Property to Mr. Richard Saghian ("Mr. Saghian"). Mr. Saghian's counsel became aware of the Fraudulent Deed only on July 22, 2022 when Chicago Title forwarded a copy of the Fraudulent Deed. The Fraudulent Deed has created a cloud on Mr. Saghian's title to the Property, which hinders Mr. Saghian's efforts to engage in transactions related to the Property. In order to remove the cloud on Mr. Saghian's title to the Property, and to ensure that no resulting claims or damages accrue to the Debtor's estate, Mr. Saghian and the Debtor jointly request that this Court (i) enter an order to show cause why Mr. Smith should not be held in contempt of court; (ii) after a hearing on this Motion, enter an Enforcement Order (a) holding Mr. Smith in contempt of court for violating the Sale Order and finding him liable for monetary damages, (b) authorizing the Los Angeles

County Recorder's Office to expunge the Fraudulent Deed and County recorder to cooperate with any other actions that are necessary to give full force and effect to the Sale Order, and (c) authorizing Mr. Saghian to file a notice in the Los Angeles County Recorder's Office that the Enforcement Order extinguishes the effect of the Fraudulent Deed; and (iii) grant such other and further relief as the Court deems just and proper.

- b. Identify the parties affected by the relief requested in the motion:

The parties affected by the relief requested in the motion include the Debtor, Mr. Saghian, Mr. Smith, and, to a limited extent, the Los Angeles County Recorder's Office.

- c. State the reasons necessitating a hearing on shortened time:

The Fraudulent Deed has created a cloud on Mr. Saghian's title to the Property. This result is a hindrance to Mr. Saghian's efforts to engage in transactions related to the Property and causes him to incur additional costs so long as Mr. Smith's violation of the Sale Order is left uncorrected.

3. Compliance with LBR 9075-1(b)(2)(B): The attached declaration(s) justifies setting a hearing on shortened notice, and establishes a *prima facie* basis for the granting of the motion.

See Declaration of Genevieve G. Weiner in Support of Buyer's and Debtor's Joint Motion (I) To Enforce the Sale Order, and (II) For Issuance of an Order to Show Cause Why Andre Mario Smith Should Not Be Held in Contempt of Court, filed contemporaneously herewith.

4. Movant has lodged a proposed Order Setting Hearing on Shortened Notice on mandatory form F 9075-1.1.ORDER .SHORT.NOTICE

Date: 8/12/2022

Sidley Austin LLP

Printed name of law firm

/s/Genevieve G. Weiner

Signature of individual Movant or attorney for Movant

Genevieve G. Weiner

Printed name of individual Movant or attorney for Movant

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Sidley Austin LLP, 555 West Fifth Street, Los Angeles, CA 90013

A true and correct copy of the foregoing document entitled: **APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 08/12/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 08/12/2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Andre Mario Smith
7938 Broadway No. 1263, Lemon Grove, CA 91946

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* 08/12/2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Andre Mario Smith
7938 Broadway No. 1263, Lemon Grove, CA 91946
Email: andmarioith@yahoo.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

08/12/2022 Pamela Santos /s/Pamela Santos
Date *Printed Name* *Signature*

**SERVICE LIST
(Via NEF)**

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